

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/960,743	IKEDA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Andrew Q. Tran	2824	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to Election filed October 24, 2005.
2.  The allowed claim(s) is/are 30-52 and 55-56 (claims 1-29 and 53-54 been canceled).
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All    b)  Some\*    c)  None    of the:
    1.  Certified copies of the priority documents have been received.
    2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 1/7/02 & 2/21/02
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

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Applicant's election of claims 30-49 in the reply filed on October 24, 2005 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Further claims 50-52 and 55-56 are rejoined since claims 30, 31 and 47 now allowed.

Claims 1-29 and 53-54 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species/invention. Election was made **without** traverse in the reply filed on October 24, 2005.

#### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

*In the title :*

Amend the current title as follows :

--Magnetic random access memory having perpendicular magnetic films switched by magnetic fields from a plurality of directions--.

*In the claims :*

In claim 32, line 2, change "film" to --layer--;

In claim 34, line 4, before "between", insert --disposed--;

line 5, before "nonmagnetic", insert --said--;

In claim 36, line 2, change "on" to --one--;  
In claim 48, line 2, change "film" to --layer--;  
In claim 51, line 4, before "between", insert --disposed--;  
line 5, before "nonmagnetic", insert --said--;

In claim 55, line 2, change "on" to --one--; and

Cancel claims 1-29 and 53-54.

This application is in condition for allowance except for the presence of claims 1-29 and 53-54 to species/invention non-elected without traverse. Accordingly, claims 1-29 and 53-54 have been cancelled.

#### **REASONS FOR ALLOWANCE**

The following is an examiner's statement of reasons for allowance:

Independent claims 30-31 are drawn to a magnetic memory comprising a magnetoresistive memory cell wherein a nonmagnetic layer is disposed between magnetic films having an easy axis of magnetization along a perpendicular direction to a film plane wherein reverse magnetization is accomplished by magnetic fields from a write line and a bit line. Independent claim 47 is drawn to a magnetic memory comprising a magnetoresistive memory cell wherein a nonmagnetic layer is disposed between magnetic films having an easy axis of magnetization along a perpendicular direction to a film plane; and means for applying external magnetic fields with variable intensity or direction to said magnetoresistive memory cell. The prior art does not teach these features.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the

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issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Q. Tran whose telephone number is (571) 272-1885. The examiner can normally be reached on Mon - Fri 8:30 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard T. Elms can be reached on (571) 272-1869. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Andrew Q Tran  
Primary Examiner  
Art Unit 2824

at  
January 10, 2006